

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

IN RE:)	
)	
MARK POWERS & COMPANY, INC.,)	BANKRUPTCY CASE NO:
)	21-40264-JJR-7
Debtor.)	
)	
ROCCO J. LEO, TRUSTEE,)	
)	
Plaintiff.)	
)	ADVERSARY PROCEEDING NO.:
vs.)	22-40006
)	
CONTINENTAL REPUBLIC CAPITAL)	
LLC, CHTD COMPANY,)	
ON DECK CAPITAL, INC.,)	
)	
Defendants.)	

APPLICATION FOR ENTRY OF DEFAULT AND SUPPORTING AFFIDAVIT

Comes now, Rocco J. Leo, trustee and plaintiff in the above styled action, by and through his attorney, and requests the Clerk of this Court pursuant to Bankruptcy Rule 7055 and Rule 55 of the Federal Rules of Civil Procedure to enter a default against the Defendant, CHTD Company, in the above styled action for failure to plead, answer, or otherwise defend as set out in the affidavit attached hereto.

Respectfully submitted,

/s/William Dennis Schilling
William Dennis Schilling
Attorney for Trustee

Of Counsel:

William Dennis Schilling
Attorney at Law
P. O. Box 55147
Birmingham, AL 35255-5147
205-328-0464
schillinglawoffice@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion has been served upon the following by first class United States mail, properly addressed with postage prepaid on the 15th day of July 2022.

CHTD Company
c/o Illinois Corporation Service Company
Its registered agent
801 Adlai Stevenson Drive
Springfield, IL 62703

/s/William Dennis Schilling
William Dennis Schilling

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**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ENTRY OF JUDGMENT PURSUANT TO RULE 55(b)**

William Dennis Schilling, being duly sworn, deposes and says:

1. That I am the attorney of record for the plaintiff in this action and have personal knowledge of the facts set forth in this affidavit.
2. The complaint in the above case was filed on April 21, 2022.
3. The Alias Summons in the above case was issued by the clerk on May 19, 2022.
4. The Alias Summons and complaint were served on defendant, CHTD Company by first class mail at c/o Illinois Corporation Service Company, Its registered agent, 801 Adlai Stevenson Drive, Springfield, IL 62703.
5. An answer to the complaint was due on June 29, 2022.
6. The undersigned has not received any response to this adversary proceeding nor has a response been filed with the clerk in this adversary proceeding by defendant, CHTD Company.
7. To the best of my information and belief:

- a. Defendant is not an infant or incompetent person.
- b. As required by the Service Members Civil Relief Act of 2003, I have confirmed that the Defendant is not currently in active military service.


William Dennis Schilling 7-15-22
Date

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, a notary public in and for the State of Alabama, hereby certify that the foregoing Affidavit was given by the affiant and that affiant signed the same in my presence at the time and place herein mentioned; that I have personal knowledge of the personal identity of the affiant, or had proof made before me of the identity of the affiant; and that affiant executed the same voluntarily on this 15th day of July 2022.

Given under my hand and official seal this 15th day of July 2022.

Notary Public, signature: Pamela K. Hurst

Notary Public, name: Pamela K. Hurst



Affix Seal: